

ORDINANCE # _____

AN ORDINANCE OF THE CITY OF INGLESIDE, TEXAS AMENDING CHAPTER 78, ARTICLE I, BY AMENDING SECTION 78-3 DEFINITIONS, AND; ARTICLE II, DIVISION 4 BY ADDING SECTION 78-72 THERETO; ALLOWING FOR APPLICATION FOR COMMUNICATION/CELL TOWERS BY SPECIAL PERMIT ONLY; AND PROVIDING FOR EFFECTIVE DATE, READING, SEVERANCE AND PUBLICATION.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Ingleside, Texas:

Section 1. That Chapter 78 – Zoning, Article II. – Administration, Division 4 – Special Permits of the Code of Ordinances of the City of Ingleside, Texas is hereby amended by adding a new section to be numbered Sec. 78-72, which section shall read as follows:

Sec. 78-3. Definitions.

For the purpose of this chapter, certain terms and words are hereby defined: words used in the present tense shall include the future; the word "shall" is mandatory and not directive. Said words and terms are as follows:

Abandon: Occurs when an owner of the Support Structure intends to permanently and completely cease all business activity therewith.

Accessory building: A subordinate building or portion of the main building, the use of which is incidental to that of the main building, and which is not used for dwelling purposes except by domestic employees employed on the premises, or mother-in-laws or other family members, but is not to become a rental unit, and is located on the same lot occupied by the main use or building.

Accessory Equipment: Any equipment serving or being used in conjunction with a Telecommunications Facility or Support Structure. This equipment includes, but is not limited to, utility or transmission equipment, power supplies, generators, batteries or other backup power supply sources, cables, equipment buildings, cabinets and storage sheds, shelters or other structures.

Administrative Approval: Building approval that the Chief Building Official or designee is authorized to grant after Administrative Review.

Administrative Review: Non-discretionary evaluation of an application by the Chief Building Official or designee. This process is not subject to a public hearing. The procedures for the Administrative Review are established in Section II (d) of this Ordinance.

Adult day care facility means a facility which provides counseling, recreation or food or any combination of these services on a daily or regular basis excluding overnight care to four or more elderly or handicapped persons who are not related by blood, marriage or adoption to the owner of the facility.

Alley means a public way which affords a secondary means of access to property abutting thereon.

Antenna: Any structure or device used to retransmit or receive electromagnetic waves for the provision of services including, but not limited to, cellular, paging, personal communications services (PCS) and microwave communications. Such structures and devices include but are not limited to, directional antennas, such as panels, microwave dishes and satellite dishes, and omnidirectional antennas, such as whips. This definition does not apply to broadcast antennas.

antennas designed for amateur radio use, or satellite dishes designed for residential or household purposes.

Billboard means an outdoor advertising display sign when such sign is supported by uprights or braces in or upon the ground.

Building, height of means the vertical distance from the grade (elevation of the curb, sidewalk or average elevation of the ground around the structure) to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip, or gambrel roofs.

Building line means a line parallel or approximately parallel to the street line and beyond which buildings may not be erected.

Collocation: The act of siting Telecommunications Facilities on an Existing Structure without the need to construct a new support structure and without a Substantial Increase in the size of an Existing Structure.

Carrier on Wheels or Cell on Wheels ("COW"): A portable self-contained Telecommunications Facility that can be moved to a location and set up to provide wireless services on a temporary or emergency basis.

Day care center means any facility, whether or not known or incorporated under descriptive titles or names such as nursery school, kindergarten, play school, child development center, early childhood center, and others that correspond, which accepts 13 or more children under the age of 14 for day care. This term applies to the program, buildings, grounds, furnishings, and equipment.

Dwelling means any building or portion thereof designed and used exclusively for residential purposes.

Dwelling, single-family means a building designed for or occupied exclusively by one family as a residence.

Dwelling, two-family means a building designed for or occupied by two families, living independently of each other for residential purposes.

Dwelling, three-family means a building designed for or occupied by three families, living independently of each other, for residential purposes.

Dwelling, four-family means a building designed for or occupied by four families, living independently of each other, for residential purposes.

Dwelling, multiple-family means a building designed for or occupied exclusively by five or more families, living independently of each other, for residential purposes.

Existing Structure: Previously erected Support Structure or any other structure, including but not limited to, buildings and water tanks, to which Telecommunications Facilities can be attached.

Family means one or more individuals living together as a single housekeeping unit, as distinguished from a group occupying a lodgehouse, boardinghouse, or hotel.

Farm means an area used for the growing of the agricultural products and their storage on the areas, as well as the raising thereon of the animals and poultry.

Frontage means all the property abutting upon one side of a street between two intersecting streets measured along the street line, or if the street is dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.

Garage, private means a building used for the housing of motor vehicles, which are the property of and for the private use of the occupants of the lot on which it is located. No more than one of the vehicles may be a commercial vehicle of not more than three tons capacity.

Garage, public means a garage other than a private garage where motor vehicles are equipped for operation, repaired, or kept for remuneration, hire or sale.

Group day care facility means a facility where a maximum of 12 children under the age of 14 years of age may be cared for on a regular basis for a period of less than 24 hours per day. This maximum number of children shall include any children at the facility under the age of 14 that are related to the director and/or staff of the facility. The children may be any combination of infants, preschoolers, and school age as outlined in the T.D.P.R.S. guide on group day care facilities.

Home occupation means any occupation or profession engaged in by the occupants of a dwelling not involving the conduct of a retail business, and not including any occupation conducted in any building on the premises excepting the building which is used by the occupant as his private dwelling. Home occupations shall include, in general, personal services such as those furnished by an architect, lawyer, physician, dentist, musician, artist, and seamstress, when performed by the persons occupying the building as his private dwelling and not including a partnership or the employment of more than one assistant in the performance of such services.

Hotel means a building in which lodging or boarding and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public in contradistinction to a lodginghouse or boardinghouse.

Lodginghouse or boardinghouse means a building other than a hotel occupied as a single housekeeping unit where lodging and meals for three or more persons are provided for compensation, pursuant to previous arrangements for definite periods, but not to the public or transients.

Lot means a parcel of land occupied or intended for occupancy by a use permitted in this chapter, including one main building together with accessory buildings, open spaces, and parking spaces required by this chapter, and having its principal frontage upon a street, or upon an officially approved place.

Lot, corner means a lot abutting upon two intersecting streets at their intersection.

Lot, depth of means the mean horizontal distance between the front and rear lot lines.

Lot, width means the mean horizontal distance parallel to street right-of-way.

Major Modifications: Improvements to existing Telecommunications Facilities or Support Structures that result in a Substantial Increase to the Existing Structure. Collocation of new Telecommunications Facilities to an existing Support Structure without Replacement of the structure shall not constitute a Major Modification.

Manufactured home and manufactured home park, travel trailer and travel trailer park, recreational vehicle and recreational vehicle park, and HUD-Code manufactured home subdivision shall have

the meanings given in division 13 of article IV of this chapter.

Minor Modifications: Improvements to Existing Structures that result in some material change to the Facility or Support Structure but of a level, quality or intensity that is less than a Substantial Increase. Minor Modifications include the Replacement of the structure.

Monopole: A single, freestanding pole-type structure supporting one or more Antennas. For purposes of this Ordinance, a Monopole is not a Tower.

Motel means a building or group of buildings used for the temporary residence of motorists or travelers.

Nonconforming use means any use, building, or yard existing legally at the time of passage of the ordinance from which this section derived which does not conform with the regulations of the district within which it is located.

Ordinary Maintenance: Work that is undertaken to ensure that Telecommunications Facilities and Support Structures are kept in good operating condition. Ordinance Maintenance includes inspections, testing and modifications that maintain functional capacity, aesthetic and structural integrity; for example the strengthening of a Support Structure's foundation or of the Support Structure itself. Ordinary Maintenance includes replacing equipment with equipment of a similar size, weight, shape and color and Accessory Equipment within an existing Telecommunications Facility. Ordinary Maintenance does not include Minor and Major Modifications.

Parking space means an area of not less than 180 square feet, measuring approximately nine feet by 20 feet, not on a public street or alley, with a permanent concrete or asphalt paved surface capable of sustaining striping and signage located on the same lot, an adjoining lot or nearby lot.

Place means an open, occupied space other than a street or alley permanently reserved as the principal means of access to abutting property.

Registered adult personal care facility means a facility licensed by the state to provide care for adults on a 24-hour basis. This type of facility is limited to a maximum of 12 adults at any time.

Registered family home facility means a facility where care is provided for a maximum of six children under the age of five years and no more than six additional school age children as defined by the state department of protective and regulatory services (T.D.P.R.S.). The maximum number of children, including any children related to a licensee, is no more than 12 at any time. Children may be kept 24 hours per day, but the facility must meet the guidelines of T.D.P.R.S.

Replacement: Constructing a new Support Structure of proportions and of equal height or such other height that would not constitute a Substantial Increase to a pre-existing Support Structure in order to support a Telecommunications Facility or to accommodate Collocation and removing the pre-existing Support Structure.

Servants quarters means an accessory building or portion of a main building located on the same lot as the main building used as living quarters for servants employed on the premises and not rented or otherwise used as a separate dwelling.

Stealth Telecommunications Facility: Any Telecommunications Facility that is integrated as an aesthetic or architectural feature of an Existing Structure or any new Support Structure designed so that the purpose of the Facility or Support Structure provides visual mitigation.

Story means that portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it or, if there is no floor above it, then the space between the floor and ceiling next above it.

Story, half means a space under a sloping roof which has the line of intersection of roof decking and wall face not more than five feet above the top floor level, and that is finished off for use. A half story may be used for occupancy only in conjunction with and by the occupants of the floor immediately below.

Structural alteration means any change in structural members of a building, such as bearing walls, columns, beams or girders.

Structure means anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a location on the ground including, but not limited to, buildings of all types, advertising signs, billboards, and poster panels, but exclusive of customary fences or boundary or retaining walls.

Street means any public or private way set aside as a permanent right-of-way for street purposes and used as a means of access to abutting property.

Substantial Increase: Occurs when:

- (1) the mounting of the proposed antenna on an Existing Structure would increase the existing height of the Existing Structure by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph in necessary to avoid interference with existing antennas; or
- (2) the mounting of the proposed antenna would involve the installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter; or
- (3) the mounting of the proposed antenna would involve adding an appurtenance to the body of the Existing Structure that would protrude from the edge of the Existing Structure more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable; or
- (4) the mounting of the proposed antenna would involve excavation outside the current Existing Structure site, defined as the current boundaries of the leased or owned property surrounding the Existing Structure and any access or utility easements currently related to the site.

Support Structure(s): A structure designed to support Telecommunications Facilities including, but not limited to, Monopoles, Tower, and other freestanding self-supporting structures.

Telecommunications Facility(ies): Any unmanned facility established for the purpose of providing wireless transmission of voice, data, images or other information including, but not limited to, cellular telephone service, personal communications service (PCS), and paging service. A Telecommunication Facility can consist of one or more Antennas and Accessory Equipment.

Tower: A lattice-type structure, guyed or freestanding, that supports one or more Antennas.

Trailer means a vehicular portable structure such as a travel trailer or camping trailer or self-propelled pickup truck camper or motor home designed as a temporary dwelling for travel, recreation and vacation uses.

Yard means an open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided. A yard extends along a lot line and at right angles to such lot line to a depth or width specified in the yard regulations of the zoning district in which such building lot is located.

Yard, front means a yard extending across the front of a lot between the side lot lines, and being the minimum horizontal distance between the street or place line and the main building or any projections thereof, other than the projections of the usual uncovered steps, terraces, porches or entranceways. On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

Yard, rear means a yard extending across the rear of the lot, measured between the side lot lines, and being the minimum horizontal distance between the rear lot line and rear of the main building or any projection other than uncovered steps, porches, entranceways or private garages.

Yard, side means a yard between the main building and the side line of the lot and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of a main building or projection thereto.

(Code 1979, ch. 12, § 2; Ord. No. 326, § II, 9-11-79; Ord. No. 574, § 1, 7-13-93; Ord. No. 578, § 3, 8-24-93; Ord. No. 597, § 2, 3-22-94; Ord. No. 626, § 2, 2-28-95; Ord. No. 914, § 1, 7-11-06; Ord. No. 926, § 1, 11-28-06)

Cross reference— Definitions generally, § 1-2.

Sec. 78-72. Communication/Cell Towers.

I. Approvals Required for Telecommunications Facilities and Support Structures.

(1) Administrative Review:

(a) Collocations and Minor Modifications shall be permitted in any zoning district after Administrative Review and Administrative Approval in accordance with the standards set forth in this Ordinance. Collocations and minor modifications shall be deemed Type II Actions under the State Environment Quality Review Act (SEQRA).

(b) The use of COWs shall be permitted in any zoning district after Administrative Review and Administrative Approval in accordance with the standards set forth in this Ordinance if the use is not otherwise exempt. If the use of the COW is either not in response to a declaration or emergency, or will last in excess of one hundred-eighty (180) days, Administrative Review and Administrative Approval shall also be required.

(2) Special Permit. Telecommunications Facilities and Support Structures not permitted by Administrative Approval shall be permitted in any district upon the granting of a Special Permit by recommendation from the Planning and Zoning Commission to the City Council as set forth in Chapter 78, Code of Ordinances, Article II, Division 4.

- (3) Exempt. Ordinary Maintenance of existing Telecommunications Facilities and Support Structures, as defined herein, shall be exempt from zoning and permitting requirements. In addition, the following facilities are *not* subject to the provisions of this Ordinance: (1) antennas used by residential households solely for broadcast radio and television reception; (2) satellite antennas used solely for residential ore household purposes; (3) COWs placed for a period of not more than one hundred eighty (180) days at any location within the City of Ingleside after a declaration of an emergency or a disaster; and (4) television and AM/FM radio broadcast towers and associated facilities.

II. Telecommunications Facilities and Support Structures Permitted by Administrative Approval.

(1) Telecommunications Facilities Located on Existing Structures

- (a) Telecommunications Facilities are permitted in all zoning districts when located on any Existing Structure subject to Administrative Approval in accordance with the requirements of this Part.
- (b) Antennas and Accessory Equipment may exceed the maximum building height limitations within a zoning district, provided they do not constitute a Substantial Increase.
- (c) Minor Modifications are permitted in all zoning districts subject to Administrative Approval in accordance with the requirements of this Part.

(2) COW Facilities and Minor Modifications

The use of COWs shall be permitted in any zoning district after Administrative Review and Administrative Approval in accordance with the standards set forth in this Ordinance if the use of the COW is either not in response to a declaration or emergency by the Governor or will last in excess of one hundred-eighty (180) days.

(3) General Standards, Design Requirements, and Miscellaneous Provisions

Unless otherwise specified herein, all Telecommunications Facilities and Support Structures permitted by Administrative Approval are subject to the applicable general standards and design requirements of Section IV and the provisions of Section V.

(4) Administrative Review Process

- (a) All Administrative Review applications must contain the following:

- 1. Application for Building Permit form signed by applicant.
- 2. Copy of letter of authorization from property owner evidencing applicant's authority to pursue application.
- 3. Site plans detailing proposed improvements including anticipated future expansion which complies with the City of Ingleside's existing site plan requirements, as applicable.
- 4. Administrative Review application fee shall be the same as the Buildings and Building Regulations fees listed in Appendix A of the City of Ingleside's Code

of Ordinances.

(b) Procedure

1. Within thirty (30) days of the receipt of an application for Administrative Review, the Chief Building Official shall inform the Applicant in writing the specific reasons why the application is incomplete and does not meet the submittal requirements. In the event such notification of incompleteness is not provided within thirty (30) days the application shall be deemed complete.
2. The Chief Building Official must issue a written decision granting or denying the request within forty-five (45) days of the submission of the initial application. Lack of a written decision within the forty-five (45) days constitutes approval of the application.
3. Should the Chief Building Official deny the application, the Chief Building Official shall provide written justification for the denial.
4. Applicant may appeal any decision of the Chief Building Official as permitted by State or Local law.

III. Telecommunications Facilities and Support Structures Permitted by Special Permit.

(1) Any Telecommunications Facility or Support Structures Not Meeting the Requirements of Section II Shall Be Permitted by Special Permit in all Zoning Districts Subject to:

- (a) The submission requirements of Section III (b) below; and
- (b) The applicable standards of Sections IV and V below; and
- (c) The requirements of the special permit conditions within this Chapter 78, Article II, Division 4.

(2) Submission Requirements for Special Permit Applications

- (a) All Special Permit applications for Telecommunications Facility and Support Structures must contain the following:
 1. Special Permit application form signed by applicant.
 2. Copy of letter of authorization from the property owner evidencing applicant's authority to pursue special permit application.
 3. Site plans detailing proposed improvements including anticipated future expansion which complies with the City of Ingleside's existing site plan requirements, as applicable.
 4. Number of proposed Antennas and their height above ground level.
 5. Line-of-sight diagram or photo simulation, showing the proposed Support Structure set against the skyline.

6. A statement justifying why Collocation is not feasible. Such statement shall include:
 - a. Such technical information and other justifications as are necessary to document the reasons why collocation is not a viable option; This may include evidence that (a) no suitable tower or structures are located within the geographic area that meet applicant's engineering requirements, or (b) that the applicant's proposed antenna would cause electromagnetic interference with the antennas on the existing tower(s) or structure(s), or (c) the antennas on the existing tower(s) or structure(s) would cause interference with the applicant's proposed antennas and/or (d) that there are other limiting factors that render existing towers and structures unsuitable. It may also include evidence that the fees, costs or contractual provisions required by the owner of an existing tower or structure in order to share an existing tower or structure or to adapt an existing tower or structure for shared use are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
 - b. A list of the existing structures considered as possible alternatives to the proposed location and a written explanation why the alternatives considered were either unavailable or technologically infeasible.
7. For applications for New Support Structures, a statement that the proposed Support Structure will be made available for Collocation to other service providers at commercially reasonable rates.
8. Special Permit application fee as listed in the City of Ingleside's fee schedule located in Appendix A of the Code of Ordinances.

(3) Procedure

- (a) Within thirty (30) days of the receipt of an application for special permit, the Chief Building Official shall inform the Applicant in writing the specific reasons why the application is incomplete and does not meet the submittal requirements. In the event such notification of incompleteness is not provided within thirty (30) days the application shall be deemed complete.
- (b) Applications for new Support Structures with proposed Telecommunications Facilities shall be considered as one application requiring only a single application fee.
- (c) The posting of the property and public notification of the application shall be accomplished in the same manner required for any special permit application under this Ordinance.
- (d) The Planning and Zoning Commission must issue a written decision granting or denying the request within one hundred-fifty (150) days of the submission of the initial application unless:
 1. Planning & Zoning Commission notified applicant that its application was incomplete within thirty (30) days of filing. If so, the remaining time from the one hundred-fifty (150) day total review time is suspended until the Applicant provides the missing information; or

2. Extension of time is agreed to by the Applicant.

Failure to issue a written decision within one hundred-fifty (150) days shall constitute an approval of the application.

IV. General Standards and Design Requirements

Communication/Cell Tower, by special permit, in accordance with requirements stated within this chapter. In addition to special permit requirements, the following conditions shall apply to a Communication/Cell Tower and may be in addition to any other conditions as may be applicable:

(1) Design

(a) Support Structures shall be subject to the following:

Towers shall not exceed 80 feet in height measured at ground level shall support at least two (2) telecommunications providers:

(b) The compound area surrounding the Support Structure must be of sufficient size to accommodate Accessory Equipment for the appropriate number of telecommunications providers in accordance with Section IV (1)(a):

(c) Stealth Telecommunications Facilities shall be designed to accommodate the Collocation of other Antennas whenever economically and technically feasible. Tower may be incorporated/camouflaged into other structures (i.e. water tower, buildings, etc.) as approved;

(d) Upon request of the Applicant, the Planning and Zoning Commission may waive the requirement that new Support Structures accommodate the collocation of other service providers if it finds that collocation at the site is not essential to the public interest, or that the construction of a shorter support structure with fewer Antennas will promote community compatibility.

(2) Setbacks

(a) Property Line. Unless otherwise stated herein, Support Structures shall be set back from all property lines a distance equal to their height measured from the base of the structure to its highest point.

(b) Residential Dwellings. Unless otherwise stated herein, Monopoles, Towers and other Support Structures shall be set back from all off-site residential dwellings a distance equal to the height of the structure. There shall be no setback requirement from dwellings located on the same parcel as the proposed structure. Existing structures shall not be subject to a setback requirement.

(c) Unless otherwise stated herein, all Accessory Equipment shall be set back from all property lines in accordance with the minimum setback requirements in the underlying zoning district. Accessory Equipment associated with an existing or Replacement utility pole shall not be subject to a setback requirement.

(3) Height. In any zoning district, Support Structures shall be designed to be the minimum height needed to meet the service objectives of the applicant and anticipated collocators.

- (4) Lighting and Marking. Tower shall not be illuminated or marked unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA) or other applicable federal or state agency.
- (5) Signage. Signs located at the Telecommunications Facility shall be limited to ownership and contact information. FCC antenna registration number (if required) and any other information as required by government regulation. Commercial advertising is strictly prohibited.
- (6) Landscaping. In all districts, the Planning and Zoning Commission shall have the authority to impose reasonable landscaping requirements surrounding the Accessory Equipment. The Planning and Zoning Commission may choose to not require landscaping for sites that are not visible from the public right-of-way or adjacent property or in instances where in the judgment of the Planning and Zoning Commission, landscaping is not appropriate or necessary.
- (7) Fencing. Ground mounted Accessory Equipment and Support Structures shall be secured and enclosed with a fence not less than six (6) feet in height as deemed appropriate by the Planning and Zoning Commission or Chief Building Official.

V. Miscellaneous Provisions.

- (1) Tower shall not be allowed within the following locations:
 - (a) Eastward of city limits line along Highway 361 to city limits line westward. Must be more than 600 feet from said Highway 361 or apply for special permit to be approved by city council;
 - (b) Southward of city limits line along Highway 1069 to city limits line northward. Must be more than 600 feet from said Highway 1069 or apply for special permit to be approved by city council;
 - (c) Within 500 feet from any school, public park and areas of organized outdoor activities for children; or
 - (d) Within 200 feet from the nearest residential (single, duplex or multi-family) zoning district boundary as defined by the city's Zoning Ordinance.
- (2) The prohibitions in this section shall not apply to towers used exclusively by governmental entities.
- (3) In the event the use of any Wireless Communication system, which would include any antenna support structure, has been discontinued for a period of one hundred eighty (180) consecutive days, the antenna support structure shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the Building Official who shall have the right to request documentation and/or affidavits from the antenna support structure owner/operator of the antenna support structure shall remove the antenna support structure within ninety (90) days of receipt of notice from the Building Official notifying the owner/operator of such abandonment. If such antenna support structure is not removed within said ninety days, the Building Official may cause such antenna support structure to be removed at the owner's expense. If there are two or more users of an antenna support structure, this provision shall not become effective until all users cease using the antenna support structure.

Section 2. Effective Date. As provided by Article III, Section 3.11.C of the Charter of the City of Ingleside, this ordinance shall be effective upon adoption and, in addition, if any penalty, fine or forfeiture is imposed by this ordinance, then this ordinance shall be effective only after publication of this ordinance in its entirety or in summary form once in the official newspaper of the City of Ingleside.

Section 3. Reading. As provided by Article III, Section 3.11.B of the Charter of the City of Ingleside, this ordinance or the caption of it shall be read at three city council meetings with at least two weeks elapsing between each reading.

Section 4. Severance. If any part of this ordinance is invalid or void or is declared to be so, then said part shall be severed from the balance of this ordinance and said invalidity shall not affect the balance of this ordinance, the balance of the ordinance to be read as if said invalid or void portion thereof were not included.

Section 5. Publication. If and as required by Article III, Section 3.11.C of the Charter of the City of Ingleside, the caption of this ordinance shall be published one time in the official newspaper of the City of Ingleside, San Patricio) County, Texas.

PASSED, ORDAINED, APPROVED AND ADOPTED this _____ day of
_____ 2014

Pete Perkins, Mayor
City of Ingleside, Texas

Attest:

City Secretary
City of Ingleside, Texas

First Reading: _____
Second Reading: _____